

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

ANDREW RIGGLE,

Plaintiff,

vs.

ZESTO SHOPPE, CHRISTOPHER
MINTURN, AND DOES 1-5,

Defendants.

8:15-CV-410

ORDER TO SHOW CAUSE

Pursuant to the Court's Order of May 18, 2016 ([filing 12](#)), the plaintiff was given 60 days, or until July 18, 2016, to serve his summons and complaint on the defendants. To date, plaintiff has not filed any return of service satisfactorily indicating service of the defendants,¹ and no defendant has voluntarily appeared. Accordingly,

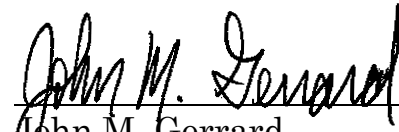
IT IS ORDERED:

1. The plaintiff shall have until September 22, 2016 to show cause why this case should not be dismissed pursuant to [Federal Rule of Civil Procedure 4\(m\)](#) or for want of prosecution.
2. The failure to timely comply with this order may result in dismissal of this action without further notice.
3. The Clerk of the Court shall set a show cause deadline for September 22, 2016.

¹ Specifically, as explained in the Court's May 18 order ([filing 12](#)), the plaintiff's proof of service, and response to the Court's previous order to show cause ([filing 10](#)), have provided nothing to suggest that service has been properly effected on the defendants or any authorized agent of the defendants. See, *Waldner v. N. Am. Truck & Trailer, Inc.*, 277 F.R.D. 401, 414–15 (D.S.D. 2011); *Christian Populist Party of Arkansas v. Sec'y of State of State of Ark.*, 650 F. Supp. 1205, 1212 (E.D. Ark. 1986).

Dated this 23rd day of August, 2016.

BY THE COURT:



John M. Gerrard
United States District Judge